



"The City With a Heart"

Larry Franzella, Mayor
Rico Medina, Vice Mayor
Ken Ibarra, Councilmember
Irene O'Connell, Councilmember
Jim Ruane, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

July 25, 2006

7:00 p.m.

THIS IS TO CERTIFY THAT: The San Bruno City Council met in regular session on July 25, 2006 at the San Bruno Senior Center, 1555 Crystal Springs Road, San Bruno. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

1. ROLL CALL: Presiding was Mayor Franzella with Vice Mayor Medina, and Councilmembers Ruane, Ibarra and O'Connell in attendance. Recorded by City Clerk Bonner.

PLEDGE OF ALLEGIANCE: Led by Library Director Jackson.

ANNOUNCEMENTS:

PRESENTATIONS:

Presentation from Fire Chief Dan Voreyer regarding program for installation of residential smoke detectors.

Fire Chief Dan Voreyer talked about existing activities related to smoke alarms, new activities being implemented within the next thirty days and finally activities for evaluation and consideration in the future. The Fire Department will take the lead and manage smoke detectors in the community and Fire Chief Dan Voreyer reminded the public every home should have a smoke detector.

Councilmember Ibarra said smoke detectors in San Bruno are a testament to Richard and Angie Dunbar.

2. REVIEW OF AGENDA: No changes.

3. APPROVAL OF MINUTES: Regular City Council meeting of July 11, 2006, were approved as submitted.

4. CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

- a. **Approve:** Payroll of July 14, 2006.
- b. **Approve:** Accounts Payable of July 3 and 10, 2006
- c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated June 30, 2006, as Submitted by City Treasurer John Marty.
- d. **Adopt:** Resolution Authorizing Acceptance and Filing of a Notice of Completion with the San Mateo County Recorder for the El Camino Real (SR-82) Emergency Vehicle Pre-emption Control System Project.

M/S Ruane/Medina to approve and passed with unanimous vote.

5. PUBLIC HEARINGS:

a. Hold Public Hearing and Take the Following Actions Related to an Application for the Demolition of 308 Units and Development of 510 Apartments at 4300 Susan Drive, known as Treetops Apartments:

1) Adopt Resolution Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Treetops Project.

2) Adopt Resolution Amending the General Plan Land Use Element Regarding Development of the Treetops Project.

3) Waive First Reading and Introduce an Ordinance Modifying a Development Plan and Adopting a Planned Development Permit for the Treetops Project.

Community Development Director Heyden gave a brief overview of the staff report on the Tree Tops project and asked Senior Planner Aaron Akin to walk through the project detail and revisions.

Senior Planner Akin reviewed the history of the project and the proposed revisions of the developer (AIMCO). In summary, there will be 120 more parking spaces, 2.16 parking spaces per unit; Susan Drive cut-through will remain opened and ungated; all town homes have been eliminated; the Highland Dr./Sharp Park intersection will be made safe at the cost of the developer; the garbage plan was reviewed by San Bruno Garbage.

Councilmember Ibarra asked where the additional parking spaces were added. He also asked about the traffic impact.

Senior Planner Akin said there will be a second parking layer underneath. The traffic has been studied and Senior Planner Akin said there would be an extra second for each driver on each light.

Mayor Franzella asked if there were only 308 units, would it improve the intersections.

Senior Planner Akin said it would not improve; it would be about a second less delay per light cycle.

Patty Schwayder, SVP, Apartment Investment Management Company (AIMCO), owners of Treetops Apartments introduced her team, Dan Matula, Scott McCarther, John Chin, Sandy Babcock, Paul Lettieri, George Corey and Cecily Talbert. She briefly explained their proposals for a new community in San Bruno.

Paul Lettieri, Guzzardo Partnership, outlined the proposed landscaping which will include some of the existing trees and many varieties of native plants.

Councilmember Ibarra asked about the existing fence to be repaired on the landscape plan. He also asked about the trash compactor.

John Chin, SB Architects said it is a 20 cubic yard trash compactor that will be enclosed with a stucco wall and screening as well as a gate.

Councilmember Ibarra said from the right-of-way, a stucco wall would be visible?

John Chin concurred.

Dawn Cunnagin, Susan Dr., Manager Evergreen Ridge, expressed her concerns about the trash compactor.

Patrick Kenyon, Summit Dr., said, “go for it.”

Henry Chaff, Fasman Dr., said it looks like a wonderful development.

Sharon Wofford, Susan Dr., opposed the rezoning of Treetops from medium to high density.

Edith Michelson, Spyglass Dr., asked three questions: 1) how this project is considered a fit with the community; 2) where the drainage goes; 3) the process of using formerly zoned commercial property to get by some of the planning issues and the traffic on surrounding streets.

Mayor Franzella said he would get answers for her.

Bill Nack, Chess Dr., Building Trades Council. expressed his full support of the project.

Jenny Pitsch, Elston Dr., expressed her approval.

Joanna Dunn, Coronado Way, said she had concerns regarding density.

Dave Gutierrez, Summit Dr., asked how long the road will be closed and where is visitor and construction parking.

Sabu, Summit Dr., objected to the property being changed to high density and asked about the impact of the views for those individuals living on Summit Dr.

Jeffrey Tang, Fleetwood Dr., commented on the high density and transportation issues.

Patrick Barrett, Mills Ave., representing the Operating Plasters and Cement Masons Union was in full support of the project.

Joanna Low, College Dr., opposed the change from medium to high density.

William Reed, Pacific Heights Blvd. was concerned about the impact of traffic on his street.

Bruce Mussel, Pacific Heights Blvd. asked about the density.

Mayor Franzella asked if anyone wished to speak on the item.

M/S Ruane/Ibarra to close the public hearing and passed by unanimous vote.

Mayor Franzella addressed the question of the trash compactor.

John Chin said the trash compactor area would be screened with an eight-foot stucco wall.

Mayor Franzella asked about the odor.

Patty Schwayder, said it is going to be a lot better than what exists now because it is an enclosed structure.

Vice Mayor Medina asked if the area was going to be covered or is just walls and a fence?

John Chin said the original intention was to screen on four sides; however, it could be covered with a trellis screening the view from outside.

Councilmember Ruane said there were ways to acoustically isolate the compactor.

Councilmember O'Connell asked if the compactor could be moved.

John Chin said they would consider that suggestion.

Councilmember Ibarra asked if the garbage company would take the complaints.

Councilmember O'Connell said part of the concern for the trash compactor results from other multiple use facilities, like Shelter Creek. She suggested change the location and screen it better.

Mayor Franzella asked how to make a decision that a high-density apartment complex fits in a residential neighborhood?

Senior Planner Aknin said the area is not in a residential neighborhood, it sits on a single plateau.

Mayor Franzella asked about the drainage.

Senior Planner Aknin said storm water requirements have become increasingly strict and the City will do everything they can to implement their guidelines.

Interim City Engineer Coles said the action to approve Tree Tops contains a set of conditions of approval which Public Works and several other departments have labored over in order to be sure the utility systems and other features are in conformity with good design practice and don't have impacts on existing utility systems. In terms of drainage, he said there is more permeable surface in this project than before.

Councilmember Ibarra asked who owns the utilities on the site?

Interim City Engineer Coles said on Susan Dr. there is a detention system dedicated to the City which consists of large pipes used to store water and let it out a little at a time that belongs to the apartment complex.

Councilmember Ibarra said the swail would be the responsibility of the property owner.

Interim City Engineer Coles concurred.

Mayor Franzella addressed the change of usage from commercial property back in the 70's. Ordinance 1284 passed by the voters, stated any residential density on any property zoned residential in 1974 could never be increased without voter approval; this property was zoned commercial and does not fall under the ordinance.

Councilmember Ibarra said he felt the speaker might have been confused by the term high density. He referred to some of the properties recently approved; however, they were not high density.

Mayor Franzella asked how the traffic study was conducted.

Senior Planner Aknin said when the traffic study was originally done; it was done on the basis the apartments were full at the time (sixty of the three hundred were vacant). A follow-up study was done and those numbers are included in the overall mitigated negative declaration.

Mayor Franzella asked the developer how long the roads would be closed, and about visitor and construction parking?

Dan Matula said there will be assigned parking spaces for all residents, the visitor parking will be scattered on the surface and some in the below-grade in the parking garages.

Mayor Franzella asked about the ratio of assigned spaces?

Dan Matula said there would be about 111 spaces.

Mayor Franzella asked about road closure during construction.

Dan Matula said he couldn't answer that question at this time and they would do everything they could to minimize the impact.

Mayor Franzella said it doesn't need to be closed the entire time during construction.

Dan Matula concurred.

Mayor Franzella asked about construction parking?

Dan Matula said they have not gotten to that detail yet; however, he believed they would probably have a staging area for the parking.

Mayor Franzella asked if Council could restrict all construction parking to be on site, then it shouldn't be a problem.

Dan Matula concurred.

Mayor Franzella asked how this project would impact the views of the properties on Summit Dr?

John Chin said the highest building is less than fifty feet, with sloped roofs, he didn't believe they would be any higher than the existing buildings.

Mayor Franzella asked about the parking on Elston and Summit. He said it would be fenced off and inaccessible from Elston and Summit without walking a long way.

John Chin concurred.

Mayor Franzella asked staff asked about traffic impact on Pacific Heights Blvd.

Senior Planner Akin explained the average vehicle delay would be ten to twenty seconds per light at the intersection at Pacific Heights Blvd. and Sharp Park Blvd.

Mayor Franzella said the only other concern was density.

Councilmember Ruane asked if all of this does not play out the way the consultants have outlined regarding traffic, were they going to initiate some traffic demand management.

Patty Schwayder said there is a Condition 5 in the packets handed out requiring the developer to work with the City and submit some transportation demand management measures to the City working with the Area Council of Governments to come up with the proper mix.

Councilmember Ibarra said it was good there was an avenue to mitigate something; however, some of the residents have said there is no impact to traffic.

Patty Schwayder said she understood this to be a process used in the City and she felt staff would be more prepared to answer on the traffic study and the implementation.

Councilmember Ibarra said if the project is approved, there is going to be some measure assuring they are not going to spend more time at the light than the average study says.

Mayor Franzella reviewed Condition 5 for staff to give a response.

Senior Planner Akin said this was a CGAG requirement. Any time peak vehicle trips are increased; credit is given to different items incorporated into the project. If high-band internet connections were installed throughout the project, peak vehicle trips are reduced. Videoconference installation would further offset vehicle trips.

Vice Mayor Medina asked who to call if these needs are not being met and it needs to be addressed?

Senior Planner Akin said the City has to approve the plan part before the building permit application as the condition states and it will be enforced through the Code Enforcement program.

City Manager Jackson said these issues would have to be addressed before the building permit is issued.

Mayor Franzella asked if this is what Condition 5 does?

City Manager Jackson said Condition 5 says must occur. Council's approval of the project will leave the issue to the staff process that occurs prior to the building permits being issued.

Councilmember O'Connell said the whole County approved traffic mitigation. She said maybe after a year we need to reassess what the developers are doing and what they say they are going to do. Another comment was regarding the homes built on College Dr. near Skyline College, the developer provided a real person with a telephone number the neighbors could call when they had concerns.

Patty Schwayder said they would be happy to do that.

Councilmember Ruane said there was a major project at the San Francisco jail and there were very few complaints because they were proactive with the neighbors. In Bayhill, there is the Peninsula Traffic Congestion Relief Alliance, a combination of cities throughout San Mateo County and he was happy to refer them.

Councilmember O'Connell asked the architect if curves could be added to the building.

John Chin said they were open to suggestions; however, the architecture reflects function that takes place in the building.

Councilmember O'Connell said she was pleased to see all the changes.

Councilmember Ibarra said he was not happy with the trash compactor location. He asked the developer to be in close contact with the community. He was also concerned about road closures.

Vice Mayor Medina said communication is key. A phone number for a contact is critical.

Mayor Franzella summarized the conditions:

- 1) Developer to work with the staff on adequately addressing the Council and neighborhood concerns regarding trash compactor including but not limited to sound proofing, moving, screening, if this project is approved, that portion needs to come back to council for final approval on the trash compactor;
- 2) All construction parking to be on site;
- 3) The road not be closed permanently during construction of the project and that a process be put in place that sufficient notification is given to the neighborhood that transverses the project, Pacific Heights #3;
- 4) A name and number of a contact person for the neighborhood and the City and one year after completion of the project staff reports back to the City Council and review the conditions of the project.

Councilmember Ruane introduced the resolution adopting a mitigated negative declaration and mitigation monitoring program for the Treetops Project and passed with all ayes.

Councilmember Ruane introduced the resolution amending the general plan land use element regarding development of the Treetops Project and passed with all ayes.

M/S Ruane/Ibarra to waive the first reading regarding the ordinance modifying a development plan and passed with a unanimous vote.

Councilmember Ruane introduced an ordinance modifying a development plan and adopting a planned development permit for the Treetops Project with the conditions as stated by he Mayor and passed with all ayes.

6. UNFINISHED BUSINESS: None.

7. CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACT:

a. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with Ranger Pipelines, Inc. for the Rollingwood Sewer Basin Improvements – Phase I Project in the amount of \$1,484,995, Authorizing a Total Construction Budget in the Amount of \$1,707,745.

Interim City Engineer Coles said this project and the upcoming Rollingwood Sewer Basin Phase II project are the last steps in our effort to comply with the State’s 1997 order to cease and desist from spilling sewage into waterways in other locations.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

8. COMMUNICATIONS: None.

9. STAFF REPORTS:

a. Adopt Resolution Authorizing the City of San Bruno to Become a Member of a Countywide Sub-Region to Locally Administer ABAG’s Regional Housing Needs Allocation Process (RHNA).

Housing & Redevelopment Manager Sullivan gave a brief overview to become a member of a Countywide Sub-Region to Locally Administer ABAG’s Regional Housing Needs Allocation Program.

Councilmember Ibarra said our provisions for housing have come a long way and are we benefiting other jurisdictions deficient in housing.

Housing & Redevelopment Manager Sullivan said each City has to meet its own allocation.

Councilmember Ibarra stated he was proud we have done our part and he introduced the resolution for adoption and passed with all ayes.

b. Adopt Resolution Approving an Easement Abandonment Agreement Between the City of San Bruno and Owners of the Property Located at 348 & 352 Shaw Road, South San Francisco, California and Authorizing the Summary Vacation of a Sewer Easement Pursuant to Chapter 4 of the Streets and Highways Code.

Interim City Engineer Coles gave an overview of the staff report.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

c. Adopt Resolution Authorizing the City Manager to Execute a Joint Powers Authority Agreement with the Agencies of the North Bayside System Unit (NBSU) pertaining to the Ownership of Capacity, Operation, Maintenance and Capital Projects Cost Sharing of Certain Shared Wastewater Treatment Plant Facilities at the South San Francisco – San Bruno Water Quality Control Plant.

City Manager Jackson reviewed the agreement which supersedes, consolidates and improves or upgrades existing agreements among the Northside Joint Powers Agreement and asked for approval.

Vice Mayor Medina asked costs be kept to the lowest possible level.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

d. Matter of City Council Direction Regarding August 22, 2006 Council Meeting.

Mayor Franzella said in recent years the second meeting in August has been cancelled and there being no anticipated City business. What is Council's direction.

M/S Ruane/Franzella to cancel meeting and passed with unanimous vote.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Councilmember O'Connell reminded the public the deadline for the Beautification Awards is August 18. Nomination forms can be picked up at the City Clerk's Office, Senior Center, Public Works, Library or use the internet.

13. NEW BUSINESS:

14. ADJOURNMENT:

There being no further business to transact, the meeting was adjourned at 9:17 p.m. to closed session. The next City Council meeting will be held on Tuesday, August 8, 2006, 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Closed Session:

The Human Resources Director as the City's Negotiator Requests a Closed Session Pursuant to Cal. Gov't Code Section 54957.6 Regarding Direction for Labor Negotiations for Police and Fire Bargaining Units.

Respectfully submitted for approval
at the regular City Council Meeting of
August 8, 2006.

Carol Bonner, City Clerk

Larry Franzella, Mayor